

Introduced by Senator Monning

February 19, 2014

An act to add Section 48070.7 to the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1107, as introduced, Monning. Pupil attendance: Attorney General report: truancy.

Existing law authorizes the establishment of county and local school attendance review boards, and provides that any minor pupil who is a habitual truant, is irregular in attendance at school, or is habitually insubordinate or disorderly during attendance at school may be referred to a school attendance review board. Existing law requires the governing board of a school district to adopt rules and regulations to require the appropriate officers and employees of the district to gather and transmit to the county superintendent of schools the number and types of referrals to school attendance review boards and of requests for petitions to the juvenile court.

This bill would, subject to available funding, on or before September 30, 2015, and annually thereafter, require the Attorney General to submit a report to the Governor, the Legislature, and to the State Board of Education, on elementary school truancy and chronic absenteeism in California public schools, as specified. The bill would require the Attorney General's report to include information on pupils in kindergarten and grades 1 to 5, inclusive, including, among other things, attendance-related data and information regarding truancy prevention and intervention efforts by local educational agencies, as defined, or county or local prosecuting authorities, as specified. The bill would, upon the request of the Attorney General, require the State Department

of Education, local educational agencies, and county and local prosecuting authorities to provide the Attorney General with specified information. By imposing additional duties on local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48070.7 is added to the Education Code,
2 to read:
3 48070.7. (a) Subject to available funding, on or before
4 September 30, 2015, and annually thereafter, the Attorney General
5 shall submit a report to the Governor, the Legislature, and the state
6 board on elementary school truancy and chronic absenteeism in
7 California public schools. The Attorney General shall utilize data
8 produced by the California Longitudinal Pupil Achievement Data
9 System pursuant to Section 60900 and other available data in
10 developing the report.
11 (b) The report required by subdivision (a) shall include, but is
12 not limited to, the following information regarding pupils in
13 kindergarten and grades 1 to 5, inclusive, for the school year with
14 the most recent available data, including comparisons with the
15 prior school year:
16 (1) Attendance-related data, as described in subdivision (c) of
17 Section 60901.
18 (2) Information regarding truancy prevention and intervention
19 efforts by local educational agencies, or county or local prosecuting
20 authorities, including, but not limited to, all of the following:
21 (A) Information regarding the notifications required by
22 subdivision (a) of Section 48260 and Sections 48260.5 and 48261.

1 (B) Information regarding the activities of county and local
2 school attendance review boards established pursuant to Section
3 48321.

4 (C) Information regarding the outcomes of prosecutions and
5 mediation or diversion programs for pupils who are truant or who
6 have irregular attendance, or whether the prosecuting authority
7 declined to prosecute referrals of those pupils.

8 (3) An analysis, if data is available, of whether schools or local
9 educational agencies are complying with the requirements of
10 subdivision (a) of Section 48260 and Sections 48260.5, 48261,
11 and 48273, as applicable.

12 (c) For purposes of this section, “local educational agency”
13 means a charter school, a county office of education, a school
14 district, or a county or local school attendance review board.

15 (d) Upon the Attorney General’s request, the department shall
16 provide the Attorney General the attendance-related data described
17 in subdivision (c) of Section 60901 in anonymized format.

18 (e) Upon the Attorney General’s request, local educational
19 agencies, and county and local prosecuting authorities, shall
20 provide the Attorney General the information and analysis
21 described in paragraphs (2) and (3) of subdivision (b) in
22 anonymized format.

23 (f) (1) The requirement for submitting a report imposed under
24 subdivision (a) is inoperative on September 30, 2019, pursuant to
25 Section 10231.5 of the Government Code.

26 (2) A report submitted pursuant to subdivision (a) shall be
27 submitted in compliance with Section 9795 of the Government
28 Code.

29 SEC. 2. If the Commission on State Mandates determines that
30 this act contains costs mandated by the state, reimbursement to
31 local agencies and school districts for those costs shall be made
32 pursuant to Part 7 (commencing with Section 17500) of Division
33 4 of Title 2 of the Government Code.